

PROPOSITION
80 | **ELECTRIC SERVICE PROVIDERS.
REGULATION.
INITIATIVE STATUTE.**

Official Title and Summary

Prepared by the Attorney General

ELECTRIC SERVICE PROVIDERS. REGULATION. INITIATIVE STATUTE.

- Subjects electric service providers, as defined, to control and regulation by California Public Utilities Commission.
- Imposes restrictions on electricity customers' ability to switch from private utilities to other electric providers.
- Provides that registration by electric service providers with Commission constitutes providers' consent to regulation.
- Requires all retail electric sellers, instead of just private utilities, to increase renewable energy resource procurement by at least 1% each year, with 20% of retail sales procured from renewable energy by 2010, instead of current requirement of 2017.
- Imposes duties on Commission, Legislature and electrical providers.

SUMMARY OF LEGISLATIVE ANALYST'S ESTIMATE OF NET STATE AND LOCAL GOVERNMENT FISCAL IMPACT:

- Potential annual state administrative costs ranging from negligible up to around \$4 million for regulatory activities of the California Public Utilities Commission, paid for by fee revenues.
- Unknown net impact on state and local government costs and revenues due to the measure's uncertain impact on retail electricity rates.

ANALYSIS BY THE LEGISLATIVE ANALYST

BACKGROUND

Provision of Electricity Service. Californians generally receive their electricity service from one of three types of providers: investor owned utilities (IOUs), local publicly owned electric utilities, and electric service providers (ESPs). Investor owned utilities have a defined geographic service area and are required by law to serve customers in that area. The three largest electricity IOUs in the state are Pacific Gas & Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company. The California Public Utilities Commission (PUC) regulates the IOUs' rates and how electricity service is provided to their customers (commonly referred to as "terms of service"). (See the nearby text box for definitions of commonly used terms throughout this analysis.)

Publicly owned electric utilities are public entities that provide electric service to residents and businesses in their local area. Unlike IOUs, they are not regulated by the PUC. Major publicly owned electric utilities include the Los Angeles Department of Water and Power, the Sacramento Municipal Utility District, and the Imperial Irrigation District.

The ESPs provide retail electricity service to customers who have chosen not to receive electricity service from the utility that serves their area.

Instead, these customers have entered into "direct access" contracts with ESPs for their electricity. This electricity is delivered to these ESP customers through the transmission and distribution system of their local utility. There are currently eighteen registered ESPs operating in the state, generally serving large industrial and commercial businesses. The ESPs also provide electricity to certain state and local government entities, such as the California State University system, several University of California campuses, some community college districts, and some local school districts.

Under current law, ESPs are only required to register with the PUC for licensing purposes; their rates and terms of service are not regulated by the PUC. However, the PUC has applied certain additional requirements to ESPs (discussed below).

Currently, the IOUs provide about 71 percent of the electricity in the state; publicly owned electric utilities provide 14 percent; ESPs provide 11 percent; and the state's Department of Water Resources provides 4 percent (chiefly for the operation of the State Water Project).

Deregulation and Direct Access. California began the process of restructuring electricity service in the early 1990s by introducing competition into the generation of electricity, with the ultimate goal being lower prices for IOU customers. The plan ultimately adopted in 1996 included a "transition"